

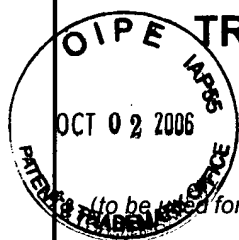
Ifw

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



TRANSMITTAL FORM

(To be used for correspondence after initial filing)

Application Number	10/735,084
Filing Date	December 12, 2003
First Named Inventor	Richard Rollin
Art Unit	3761
Examiner Name	Ginger T. Chapman
Attorney Docket Number	5297/198

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply (Response to Non-compliant Amendment under 37CFR§1.121) <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Postcard Receipt <input type="checkbox"/> Other Enclosure(s) (please identify below):
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-0930</u> . A duplicate copy of this sheet is enclosed.		

CALCULATION OF FEE

				Small Entity		Large Entity	
Claims After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee	
Total	Minus (20)	0	x \$25=	0	x \$50=		
Indep.	Minus (3)	0	x \$100=	0	x \$200=		
First Presentation of Multiple Dep. Claim			+\$180=	--	+\$360=		
				total add'l fee	\$ 0	total add'l fee	\$ 0

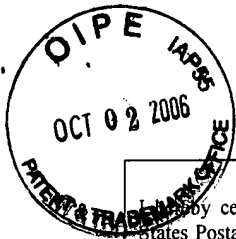
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Michael H. Baniak, Reg. No. 30,608 Attorney for Applicant Steven B. Courtright, Reg. No. 40,966 Agent for Applicant BANIAK, PINE, AND GANNON 150 N. Wacker Drive, Suite 1200 Chicago, Illinois 60606		
Signature		Date	September 27, 2006

CERTIFICATE OF TRANSMISSION/MAILING

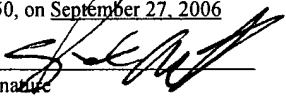
I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop: Amendment; Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		Date:	September 27, 2006
Michael H. Baniak/Steven B. Courtright			



Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450, on September 27, 2006

 September 27, 2006
Signature Date of Signature

Steven B. Courtright
Typed or Printed Name of Person Signing Certificate

PATENT
Case No. 5297/198

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 10/735,084
Applicant(s) : Richard RÖLLIN et al.
Filed : December 12, 2003
TC/A.U. : 3761
Examiner : Ginger T. Chapman
Docket No. : 5297/198
Title : THORAX DRAINAGE SYSTEM

Confirmation No. 1606

RESPONSE TO NON-COMPLIANT AMENDMENT UNDER 37 CFR §1.121

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

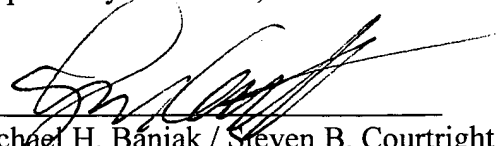
Dear Sir:

This is responsive to the Notice dated September 20, 2006. The Notice required that the drawing attached to the Amendment and Response dated September 11, 2006, and filed September 14, 2006 be properly identified in the top margin. However, *no amendments were made in the drawing*. The drawing was used in the Response to show the prior existence of an element (9) to the examiner. Since no amendments were made, this notice is erroneous and should be withdrawn. Reconsideration is requested.

September 27, 2006

BANIAK PINE & GANNON
150 N. Wacker Drive, Suite 1200
Chicago, Illinois 60606
(312) 673-0360

Respectfully submitted,


Michael H. Baniak / Steven B. Courtright
Registration No. 30,608 / 40,966
Attorney/Agent for Applicants